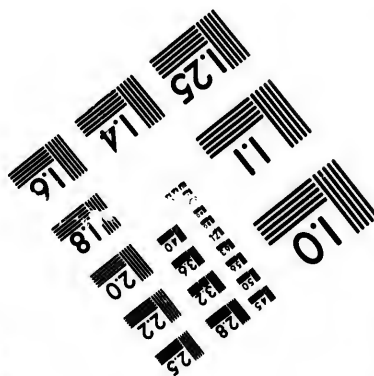
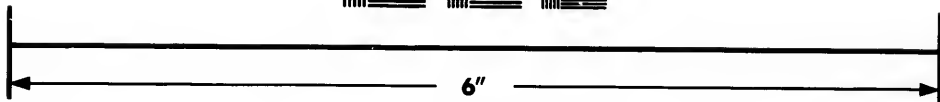
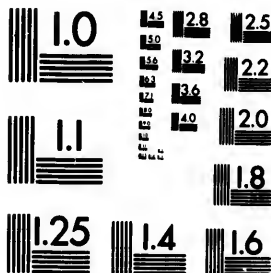


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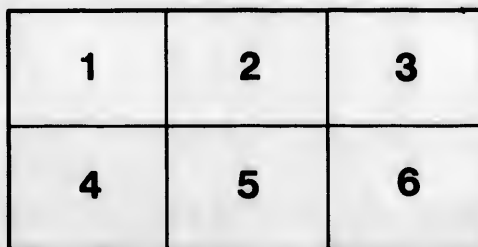
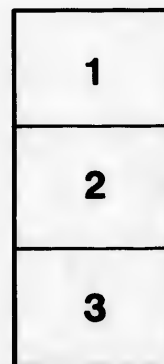
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MEMORIAM

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THE HONORABLE  
CHARLES LEE AUSTIN

DIED  
IN MEXICO CITY

28 APRIL 1866

Aged 52 years.

*Montréal, Novembre (17)  
1866*

*Imprimé par les frères Perrault.*

*à 200 exemplaires, pour l'auteur.*

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## PREFACE.

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The object of preserving in this form the public expressions of respect to which the death of Mr. Austin, gave rise, is at some future time, to afford to his young children and grand-children the means of forming some faint idea of their noble, learned and pious parent, and to incite them to pay to his memory the best and worthiest homage, that of following his example. Many more extracts from the press of various parts of the United States and Canada, could no doubt have been obtained, but these now reprinted, together with the resolutions passed by public bodies, will be found sufficient for the purpose. It should however be stated that some of the circumstances most creditable to Mr. Austin will not be found mentioned in these pages; among others the fact that during the administration of President Buchanan the Archbishops and Bishops of the United States were greatly desirous that Mr. Austin should be named United States Minister to Rome, instead of which however Mr. Buchanan tendered him the place of Minister to the Neapolitan Court, which offer Mr. Austin declined. But family tradition will be sufficient to preserve to his children the recollection of circumstances like these, and their conversations with his surviving friends will bring up many pleasant incidents and distinctive traits of Mr. Austin's well-defined and strongly marked character.

MONTREAL, 6th September, 1866.



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RESOLUTIONS OF THE COMMITTEE OF THE  
CATHEDRAL OF ALBANY.

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CATHEDRAL.  
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ALBANY, 31ST MAY 1866.

MADAM,

In obedience to the order of the Committee of the Cathedral, I have the honor to transmit herewith a copy of the Resolutions adopted by that body on the occasion of the death of their late Treasurer.

The performance of this duty is to me one of much sadness. I have been intimately acquainted for nearly a quarter of a century with our deceased friend. In my intercourse with him, I always experienced pleasure, the remembrance of which only causes me to realize more painfully the loss we have all experienced.

Under these circumstances, I hope to be permitted to add the expression of my personal sympathy in your present bereavement and to assure you of the respect with which,

I remain,

Madam,

Your obedient servant,

(Signed,) E. B. O'CALLAGHAN,

*Secretary.*

MRS. CHARLES L. AUSTIN, ALBANY.

## IN MEMORIAM.

At a special meeting of the Committee of the Cathedral of the Immaculate Conception, held May 26th 1866, present :

The Right Rev. JOHN J. CONROY, Bishop of Albany,  
in the Chair.

The Rev. C. WALWORTH, Rector Pro. Tem.

Dr. E. B. O'CALLAGHAN, Secretary.

MATTHEW HAWE, JOHN CONNICK & BARTHOLOMEW  
CURTIN ;

The following resolutions were adopted.

RESOLVED: That we deeply regret the decease of the Hon. Charles L. Austin, late a member of this Board, and Treasurer of the Cathedral.

That in expressing this regret, we must also unite in bearing testimony to the high and honorable character as well as to the zeal and devotedness of the deceased, associated as he has been with us in this board, for the past thirteen years.

That in Mr. Austin we have lost a companion and friend, whose courtesy and fraternal charity endeared him to all.

That fervent piety, exemplary life, and well known liberality have been his distinguishing characteristics, as a man and a christian, and will ever render his memory cherished among us.

That we tender to his widow and family, our sympathy and condolence in their bereavement: and in doing so, we but give expression to the common sorrow of the Congregation.

That the Secretary be directed to transmit a copy of the foregoing resolutions to Mrs. Austin and that the same be published.

### RESOLUTIONS OF THE ALBANY BAR.

MY DEAR MRS. AUSTIN.

Will you permit me in behalf of the members of the Albany Bar to transmit a copy of the Resolutions adopted by them, expressing their affectionate regard for your deceased husband and their sympathy with you and your family on the occasion of so sad and mournful a bereavement.

The record of his life was one of beauty and honor, and his name will be held in warm and grateful remembrance, not only by his friends and brethren in the profession which he dignified and adorned, but by the community in which he resided, and with whose interests, and prosperity he had been so long and honorably identified.

With sincere and earnest sympathy,

Yours most truly,

JOHN K. PORTER.

Albany, May 30th 1866.

At a meeting of the members of the Bar of the City of Albany, held at the City Hall, May 26th 1866, convened to honor the memory of HON. CHARLES L. AUSTIN, on motion of HON. JOHN V. L. PRUYN, his Honor JOHN K. PORTER, Judge of the Court of Appeals, was called to the Chair; and on motion of PETER

CAGGER, ESQ., Recorder PADDOCK and ISAAC EDWARDS were appointed Secretaries.

On motion, GEN. GANSEVOORT, JAMES B. SANDERS, PETER CAGGER, CLARK B. COCHRANE and HENRY SMITH, ESQUIRES, were appointed a Committee to prepare Resolutions expressive of the sense of the meeting. The Committee, through their Chairman, GEN. GANSEVOORT, reported the following resolutions :

RESOLVED: That we have heard, with deep emotions of grief, of the death of our esteemed fellow citizen and professional brother, CHARLES L. AUSTIN, late Recorder of Albany, a gentleman in whom were united the highest personal virtues, with rare professional endowments, a public spirited citizen, a vigilant magistrate, an upright judge. We leave his example as a legacy to his profession, and a memory endeared to us by recollections of his genial and sympathetic nature, his elevated views of duty, and his truly Christian spirit.

Resolved, That the Chairman of this meeting be requested to present these resolutions to the Supreme Court now in session, with a request that they be entered on the minutes of the Court; and that he transmit a copy thereof to the family of the deceased, as an expression of our sympathy and condolence.

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(Remarks of several members of the Bar at the above meeting as reported in the Albany Argus of May 29th 1866.)

## HON. IRA SHAFER'S REMARKS.

Mr. Chairman: Although many years the junior of our departed brother, and although I am surrounded by many who have known him longer and perhaps more intimately than I have, yet I should be unjust to my feelings were I to remain a silent spectator. I am aware that I shall be unable to add much to what has already appeared in the press of our city and in the proceedings of our Common Council respecting him whose untimely death, in a foreign land, among strangers, we all mourn. They have spoken of his ancestry; his youth; his manhood; his official career, and of his many virtues. To me, his death is a sad event, indeed a bereavement. My debt of gratitude to him when living, and to his memory when dead, is greater than I shall ever be able to discharge. When I look back but ten short years to the period when the design was formed of making this city the theatre of my future career, as an humble member of the profession loved by us all, and recollect the kindness extended to me by Charles L. Austin; when I remember his parental, Christian advice and solicitude; his words of cheer and encouragement under trying circumstances; his constant, devoted and undying friendship down to the very hour of his sailing for the land where repose his remains; when thus remembering I feel bereaved indeed by his death. It was true of him, and I wish it were true of the senior members of the profession as a rule, to uniformly regard the young and inexperienced members of the bar with kindness and consideration.

It was his pleasure and delight to cheer and en-

courage the young members of our profession just embarking upon the stormy, tempestuous sea of the law. When our seniors growled and frowned upon the young and trembling novice engaged, perhaps, in his first struggle at the bar, our departed friend was the first to relieve and console the pained, and perhaps mortified youth, by such words and deeds of courtesy and kindness, as he only knew how to employ. Under such circumstances, no unkind word escaped from him; no sneer of contempt ever curled his lip; no frown ever disguised his manly brow, and no look of disdain was ever cast upon the youthful aspirant for success, if not for fame. Mr. Austin, possessing affluence which he so well enjoyed, but never abused, was not daily engaged in the more active pursuits of our profession. Yet he was a learned lawyer, skilled in the law as a science; he loved his profession. While Recorder of this city, he showed himself to be a learned as well as a humane Judge. When presiding on the civil side of the Court, he exhibited a degree of learning, patience, kindness and impartiality rarely witnessed at the present day. His recollection of the old Supreme Court was vivid, and in his judicial career, his ambition was to pattern after those judges whom he revered and venerated. When sitting in judgment upon crime and criminals, truly justice was tempered with mercy. No harsh, unbending rule of punishment prevailed in his Court. He exercised a wise and just discrimination between the hardened wretch and the novice in crime. His knowledge of poor human nature was such, that he rarely erred when imposing the severest punishment, or when exercising the greatest clemency.

How many truly affecting scenes have been witnessed on the other side of the Hall, when he as Recorder was called upon to pass judgment upon the youthful criminal, who then, as now, found his way into the prisoner's dock. A loving, affectionate, Christian father weeping over his erring sinful child, warning him of the wrath to come, and pointing out to him the straight and narrow way, would be the scene if spread upon canvas.

Mr. Austin's charities were as bountiful as was his wealth. Yonder noble structure, the Cathedral, is a noble monument to his memory. He was among the foremost in every good, charitable, Christian work.

However the world may regard our profession, it can be said, with truth, that Charles L. Austin was a practical, sincere, consistent Christian. He was a Christian lawyer, a Christian judge. His sincere piety was manifested in his daily walk and conversation. His was not that mock, hypocritical piety too often assumed for the purpose of advancing worldly interest and worldly ambition.

He too was a gentleman; a gentleman by nature; a gentleman by cultivation and by association; scholarly in his tastes, in his pursuits; possessing a highly cultivated intellect, it can be said of him what cannot be said of but few, that he was an accomplished gentleman.

He too, was a true, devoted friend. In all the relations of life he was a true and just man. His artlessness and simplicity of character; his genuine piety; his stern integrity in private as well as official life; his



deeds of charity; his gentlemanly qualities and deportment, and his devoted, undying friendship were proverbial. That this picture is not overdrawn, is verified by the universal gloom and sadness which prevailed in this city when the mournful tidings of his sudden and unexpected death, in a foreign land, reached us. His departure from among us, in pursuit of health, was sudden and known to comparatively few. By accident, I met him in the Metropolis a few moments before he stepped on board that ship which wafted him to a foreign land, never to return. Little did we think as we parted that it was our last meeting on earth. How hopefully he spoke of the future, I never shall forget. How tenderly he dwelt upon our friendship in the past it is not meet for me to speak. What kind remembrances I was the bearer of to absent friends, they will recollect.

There is a peculiar sadness connected with his sudden demise, in a strange land, among strangers. No loving, tried friends smoothed his dying pillow; wife and children were separated from him by thousands of leagues. Everything dear to him on earth, save his God, was far, far away. Alone, sadly alone was he, when his spirit took its flight to the God who gave it. Brethren, one thought more and I have done. On yonder hill, in that palatial, stately mansion, where once our departed brother was the most loving, affectionate and indulgent husband and father, there is a vacant chair for all time to come. His fair-haired boys will call his name in vain. They are indeed orphaned. They have lost a treasure which the wealth of this

world cannot replace. May they in the thorny walks of life, meet with that kindness and help which their beloved father always bestowed upon the widow and the orphan, is my prayer. In his life and example they have indeed been bequeathed a rich legacy. Of the sadness, loneliness and desolation reigning in that widowed heart, I cannot, dare not speak. Her grief and anguish are too sacred to be described by human pen or tongue. No words we can utter can assuage her grief, or bring back her lord. Her thoughts and affections are divided between the grave and her orphaned offspring.

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#### HON. JOHN V. L. PRUYN'S REMARKS

I have listened, Mr. Chairman, with interest to the warm and eloquent tribute which has just been pronounced on the life and character of Recorder Austin. I will not venture to add to its general features, but will, with your permission, speak briefly on some points it has presented.

I became acquainted with Mr. Austin in social life soon after he came to this city to reside with us, and knew him somewhat in his professional and public career—but better for a few years past, in my intercourse with him in the Executive Committee of the State Normal School, of which we were both members. It was just before he left for Mexico, a few days only, I believe, that we had occasion to spend an evening toge-

ther, quite alone, I think, in the discharge of official duty. We were occupied several hours in the business which led to our meeting, and I never before had been so thoroughly impressed with the extent of his attainments, the soundness of his judgment, and the readiness with which he could apply his resources to complex subjects of business and action. His loss to that Committee will, I am sure, be deeply regretted by all its members. Mr. Austin was, by nature, genial; his tastes had been highly cultivated by travel and study, and his religious views, which were very strong, exercised, I doubt not, a constant influence on his life and character.

I concur most cordially with what has already been so well said of him, and feel that the Bar of Albany has good reason to express its sorrow at the sudden departure of one, who had justly earned a high place in the regard and respect of its members.

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#### HON. CLARK B. COCHRANE'S REMARKS.

*Mr. Chairman* :—It was not my privilege to know our deceased brother intimately. Circumstances did not so happen as to bring us into close or confidential relations. Still our acquaintance, though general, had continued through several years, and was always of the most cordial and pleasant character. He was recognized as a man of mark and prominence, and in common with the general public, I had come to respect the rare qua-

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#### REMARKS.

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lities both of his head and heart. That Charles L. Austin was endowed by nature with an intellect of more than ordinary scope and vigor; that his natural gifts had been enlarged and enriched by thorough and varied culture; that he was a gentleman of thought, of learning and of letters, all concede. That this was not all, that deep down in his social nature there were fountains sweet and genial for those he loved and "for those who sought him," is proved by the touching and eloquent tribute which has just been so feelingly paid to his memory by his friends. Intellect, however cold and stern, may command respect; it belongs alone to the generous and nobler properties of the soul to awaken emotion and give life and pathos to the language of eulogy. The memories which pertain only to the rank, station or intellectual triumphs of departed friends, never yet embarrassed utterance or provoked a tear. Affection and friendship prefer to trace in retrospect the unambitious history and outgoings of the heart, to recall their private virtues, the friendly offices, the acts of kindness, the words and works of charity which characterized and adorned the social and domestic life of the loved and lost. These are the recollections which embalm the memory of the dead, touch the tenderer cords of our nature, and impart inspiration and eloquence to our words of respect and praise. But it is not my purpose to speak of the life and character of our lamented brother. This sad but grateful duty has been well and most fittingly discharged by others who knew him better. The event has a moral. There is a lesson for the living in this providence which we shall all do well to

remember. Mysterious indeed to us are the ways of God. Here is a prominent citizen, still in the vigor of life, of high position and large influence, possessed of ample fortune, surrounded by all the luxuries and elegances of life, with a family to whom he was attached by the strongest ties of affection and by whom he was himself greatly beloved. Quietly and unobserved by the public he takes leave of home and friends, and sails for a foreign country. He goes to further enjoy the advantages of travel, and to improve his health, by no means seriously impaired. He leaves, not doubting a safe return at no distant day. The pain of separation between himself and the loved ones at home, is relieved by the expectation of a happy reunion after temporary absence: A few short months pass away, and the startling and unexpected tidings are flashed over the wires to the afflicted wife and children that the parting which had been fondly assumed as temporary was indeed final. Alas for the uncertainty of earthly hopes! The husband and father is no more. He died suddenly in a distant land, and to-day his ashes repose in the solitude of a strange city, far away from home and kindred, and among a people and a race not his own. Truly, wherever we are, at home or abroad, in other lands or in our own, in the midst of life we are in death. The circumstances which surround this event invest it with peculiar sadness, and for the hearts which have been made desolate, there is no adequate relief but in Him according to whose wisdom and procedure afflictions come.

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good-by to friends and left the shores of his native land, that he was going to Mexico to die! Surely "the veil which hides from our view the events of succeeding years, is a veil woven by the hand of Mercy."

"Oh! blindness to the future kindly given,  
That each may fill the circuit marked by heaven;  
Who sees with equal eye as god of all,  
A hero perish and a sparrow fall."

The Christian faith in which the deceased reposed his trust, assures us that the event, with all its circumstances, however inscrutable to men, was according to the appointment and methods of infinite wisdom; that what appears to us as chance, is "direction which we cannot see," and that the grave which to our finite senses seems a final abode, is but the appointed entrance to a life immortal. It is pleasant to know that the bereaved and afflicted circle do not mourn as those without hope. Our deceased friend was evidently a man of strong religious convictions. He thought and labored, and gave of his worldly substance for the faith he followed and the cause he professed. He did not live indifferent to those duties to man and obligations to God, which make existence a solemn and responsible reality and daily impress the admonition upon us all, that those only who aim to live the life of the righteous can reasonably expect his hope in their death.

Allow me to add a further word wherein Mr. Austin is worthy of honorable mention and his example of imitation. The fact to which I allude corroborates all that has been said of him touching his ge-

nerous and sympathizing nature. During the eleven years I have been of your number, I have never known him absent from a meeting of the Bar called to pay a tribute of respect to a deceased member. These occasions have been sadly frequent. His presence was always recognized, and generally his voice was heard in pleasant words for the dead, or consoling expressions for the living. In the case of Colonel Jackson and that of Colonel Benedict, the Chairman will remember well as I cannot fail to remember, his just, eloquent and beautiful remarks. On occasions like this he did not forget his brothers, and we will not forget him.

The resolutions were thereupon unanimously adopted, and the proceedings directed to be published in the daily papers.

On motion of S. F. Higgins, Esq., the meeting then adjourned.

JOHN K. PORTER, Chairman.

WILLIAM S. PADDOCK, }  
ISAAC EDWARDS, } Secretaries.

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*Proceedings in the Albany Circuit Court, May 28th, 1866.*

Hon. Charles R. Ingalls presiding.—At the opening of the Circuit Court, Judge Porter submitted the proceedings of the meeting of the Bar, held at the City Hall on Saturday.

On presenting them he said that the Court would sympathise with the general feeling of sorrow occa-

sioned by the tidings of the recent death, in the city of Mexico, of CHARLES L. AUSTIN, late Recorder of Albany. Those of us who were bound to him by the ties of personal friendship and professional brotherhood, felt that it would be a sad but grateful privilege to unite in a public tribute of respect for his memory, and an heartfelt expression of our sympathy for those whose home has been darkened by this unlooked for bereavement. We deemed it peculiarly appropriate that some memorial of the estimate in which he was held by his brethren should be placed on the records of the Court, now in that Hall of Justice in which he was accustomed to preside, with an ability and dignity worthy of his high judicial position. This place is associated with the familiar presence of our lamented and honored friend; and here we would keep in fresh and grateful remembrance the name inscribed on the cross which marks his far-off resting place.

Recorder Austin was one who left upon all who knew him well the impression of a marked and distinctive character. The fervor of religious faith was with him an element of vital force; and it was discernible in his habits of study and thought, in the amenities of social intercourse, and in the routine of his daily life. It seemed to imbue his nature with a spirit of Christian kindness, while in matters involving mere personal action, it held him to a fixed and rigorous standard of duty. He could not tolerate in himself even a seeming deviation from the strict line of right, which in another he would have overlooked as inadvertent or venial. There was a steady rectitude

*May 28th,*

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of purpose, and an open frankness of utterance, which sometimes misled those not familiar with his habitual modes of thought. He viewed every subject from a stand-point peculiarly his own, and all his opinions were clearly and sharply defined. He was never content to remain in doubt; and what with most men would be permitted to rest in mere impression, with him ripened into firm and abiding conviction. He was fond of curious research, and unwearied in pursuing trains of thought and solving inquiries full of interest to the general scholar, but out of the range of ordinary professional study. Few were more learned in the historical department of English jurisprudence, or more familiar with the early and later codes of the civil law. He was thoroughly appreciated by men of scholastic tastes. I remember a very interesting and graphic description of his course of study and of his rare and varied attainments, sketched by the late Clinton Cassidy, himself one of the most cultivated and brilliant young men the city of Albany has produced. I had occasion afterwards to know, what until then I did not happen to learn, that Mr. Austin had availed himself in early life, of the opportunities afforded by leisure and affluence, to prosecute his studies abroad under peculiarly favorable circumstances; and that he was not only thoroughly conversant with the branches ordinarily pursued in the Universities, but with the learning of the Middle Ages, and the current literature of the leading European languages. With refined and elegant tastes, with a mind enriched by culture and observation, and with a frank courtesy which sprung

from spontaneous kindness, it is hardly necessary to say that he was peculiarly attractive in the social circle, and that the friendships he won were warm and enduring.

It would not be appropriate, here, to refer to the happy surroundings of that pleasant and genial home, which his presence will brighten no more. If I were to speak of him in the relations of professional and public life, I could employ no language so appropriate, comprehensive and just as that embodied in this united expression of his brethren of this bar. In compliance with their request, permit me to ask that the following resolutions, and the proceedings of the meeting at which they were adopted, may be entered on the minutes of the Court.

*Resolved*, That we have heard with deep emotions of grief, of the death of our esteemed fellow-citizen and professional brother, Charles L. Austin, late Recorder of Albany; a gentleman in whom were united the highest personal virtues with rare professional endowments; a public spirited citizen, a vigilant magistrate, an upright judge. He leaves his example a legacy to his profession, and a memory endeared to us by recollections of his genial and sympathetic nature, his elevated views of duty, and his truly Christian spirit.

*Resolved*, That the Chairman of this meeting be requested to present these resolutions to the Supreme Court now in session, with a request that they be entered in the minutes of the Court; and that he transmit a copy thereof to the family of the deceased, as an expression of our sympathy and condolence.

Judge Ingalls : It is so obviously appropriate, the Court cheerfully directs that the resolution offered be entered upon the minutes of the Court as a tribute to the memory of the deceased.

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*PROCEEDINGS OF THE ALBANY CITY  
COUNCIL.*

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Reported in the ALBANY ARGUS, MAY 24TH 1866.

The following are the remarks made and the resolutions offered by Recorder Paddock, in Common Council, Monday night, on the death of the late Recorder Austin :

*Mr. Mayor* :—The sad intelligence of the death of our highly esteemed fellow citizen, ex-Recorder Austin, brings sorrow and mourning to a loving family, and to a large circle of friends, all of whom had confidently anticipated that a relaxation of the cares of business and a change of climate would restore his impaired health. But, sir, Providence ordered otherwise. Mr. Austin left this city but a few weeks since with high hopes of a speedy return in health, but instead of his return comes the startling intelligence of his death. He died in the city of Mexico on the 28th day of April last, where his remains are buried. The friends that knew him will know him no more this side of the grave. To you,

gentlemen, and to the citizens of Albany it will be unnecessary to allude to the able, impartial, honorable and beneficial manner in which he performed the duties of the several honorable and responsible offices which he held in this city and county. His record is an honor to his memory, and his name will be held in kindly remembrance by the citizens of Albany. I cannot do justice to the memory of Mr. Austin, but a brief statement of his history may not be uninteresting to us who had learned to regard him as one of Albany's most esteemed citizens.

Mr. Austin was born at Orwell, in the State of Vermont, in the year 1816. He was sent early to Canada to school, and after having finished his studies there, graduated at Burlington College. In 1837 he went to Europe, where he pursued a course of studies in one of the German Universities. After returning from Europe, 1837, he commenced the study of law in the law office of McKown, Van Buren & Robinson, and has since been a resident of this city. After completing his studies he was admitted to practice as attorney and counsellor at law in the Courts of this State, and in his practice, by his courtesy, learning and ability, he secured and retained the respect and friendship of the members of the legal profession, and of his clients by his devotion to their true interests. He was for several years senior member of the law firm of Austin & McMahon.

In 1857 he was elected Supervisor of this county from the Tenth Ward of this city, and was at once chosen the presiding officer of that body, an office

which he filled with ability, and to the satisfaction of the public.

In 1860 he was elected Recorder of this city by a large majority, which office he filled for four years with great ability, and with faithfulness to the true interests of the city of Albany. He was an upright magistrate, and an honorable, honest and faithful representative of the people in this Board, and to his wisdom we are indebted for many benefits to our city.

Mr. Austin was also appointed by the Common Council a member of the Board of Education, which office he held many years with the confidence and respect of his associates. And he was at the time of his death, and had been for many years, a highly esteemed member of the Executive Committee of the State Normal School.

That he could not have lived longer among us is to be regretted, for we cannot afford to lose men like Mr. Austin.

Mr. Mayor, that the records of this Board may attest our appreciation of his merits and respect for his memory, I propose the adoption of the following preamble and resolution :

Whereas, The sad intelligence of the death of ex-Recorder Charles L. Austin, at the city of Mexico, on the 28th day of April last, has reached our city, and considering his former connection with this Board, and the valuable services rendered by him in his official capacity, it is highly proper that appropriate respect be paid to his memory ; therefore, be it

Resolved, that the citizens of Albany, through their

representatives in common Council here assembled, do most solemnly lament the death of Charles L. Austin. He was an able, faithful and impartial magistrate, a high minded, honorable gentleman; and to his sound judgment and good advice during the four years that he held the office of Recorder of this city, and in the respective offices of Chairman of the Board of Supervisors of the county of Albany, and member of the Board of Education of this city, and member of the Executive Committee of the State Normal School, we are indebted for many substantial benefits, and that we respect his memory, and hereby record our sincere acknowledgements of his valuable services to our city, and we tender to the family of our deceased friend our heartfelt sympathy in their sad bereavement.

Ald. Judson moved that the remarks and resolutions be ordered to be published, and that a copy, duly certified, be transmitted to the family of the deceased. Carried, and the resolutions were adopted unanimously.

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ALBANY, MAY 25th 1866.

MRS. FRANCES AUSTIN,  
MADAM,

Enclosed please find a copy of the resolutions offered and adopted at the Board of Education in relation to the death of your lamented husband.

With sentiment of the greatest respect,

I am Madam,

Your obedient servant,

(Signed) JOHN MORGAN, *Sec'y.*

## OFFICE OF THE BOARD OF EDUCATION.

Mr. Tracey offered the following resolutions :

RESOLVED,

That we have heard with the greatest regret of the sudden death at a distance from home and family of our esteemed fellow member, Charles L. Austin, that by his untimely loss this Board has been deprived of an earnest, faithful and efficient member, and each of us of the association and friendship of a most honorable conscientious and accomplished gentleman, whose whole life public and private was truly devoted to well doing, a just judge and upright citizen.

Resolved that we tender to the bereaved family of our deceased companion our condolence and sympathy, and feel that they will find their greatest consolation in his pure nobility of life and in a record which may serve to all as the model of a high minded Christian man.

On motion of Mr. Carpenter—That the foregoing resolutions be entered in the minutes of the Board, be published and a copy transmitted to the family of the deceased.

(Signed)

J. O. COLE,  
*President.*

(Signed)

JOHN MORGAN,  
*Sec'y.*

*Extract from the ALBANY ARGUS, Albany May 18th  
1866, announcing the death of MR. AUSTIN.*

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We are pained to announce the death of CHARLES L. AUSTIN, late Recorder of Albany. He died in Mexico on the 28th ult. He had left this city about the 20th of March, on a sea voyage, in one of the Panama steamers, of which his son EDWARD AUSTIN, was one of the officers. Landing at Vera Cruz, he went to the Capital of the Empire, on a brief visit, awaiting the return trip of the vessel. His letters from the Mexican Capital were marked by buoyancy of spirits, and were full of assurances of enjoyment and health. The circumstances of his death have not reached us.

He was a gentleman of rare excellence of character. He was a student, but his bent of mind sought the recondite and unaccustomed paths of literature. He was deeply impressed with religious sentiments, yet cultivated a gay and cheerful spirit. He was a rigid business man ; yet was generous and even lavish, in the cause of Religion and Charity, or of Country. He was sedulous in his care of city interests when Recorder, and was, above all, a just judge—tempering mercy with justice, but never swerving from right.

He was born in Orwell, Vt., in 1816, studied at Chambly, and graduated at Burlington College. He married in 1835 a daughter of the Hon. ROBERT ELLIOTT, of this city, and then went to Europe where he pursued a course of studies at one of the German Universities. While there, the philosopher SCHELLING was



his constant associate and friend. On his return, he entered the law office of Col. McKOWN, whom at an interval of many years, he succeeded in the office of Recorder.

His remains reached New York last night, and will be brought on to this city, to-day.

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*Letters published in the ALBANY ARGUS of the 24th May.  
giving details of MR. AUSTIN'S DEATH.*

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The following letters, one from a distinguished officer in the army of MAXIMILIAN, and the other from the American Consul in Mexico, gives interesting details concerning the death of Judge AUSTIN of this city. If there is some repetition in the two letters, they are not less interesting on that account to the numerous friends of the deceased. The original of the following, from Prince DE SALM-SALM, was written in French, and was addressed to EDWARD E. AUSTIN, the son of the deceased and was received by him on his arrival at Vera Cruz.

MY DEAR FRIEND: It is with the most profound grief that I write you these lines. You already have learned the terrible misfortune, my friend, which has just occurred. I regard it as a duty of friendship toward you, as well as to your father, for whom, after my brief acquaintance, I cherished a warm affection, as every one did, indeed, who knew him, to give you some details of his last moments.

The 27th of April, the day before his death, I

was with him for a long time in the afternoon, and we took a walk together. He was well in health, complaining of nothing. In the evening he went to the theatre with my friend Mons. Scholler, of the Prussian legation, where he was much amused, and quite well. The next day, the 28th, I had a great deal to do, and did not go to the Hotel at all, naturally not knowing that he was ill, and no one informing me of it. But at 6½ o'clock I went to the Hotel to dine with him as usual, and was told on entering that he had died a few moments before.

I almost fell to the ground; and could not and would not believe it. I ran into his room, and found it true—he was dead. He had expired about fifteen minutes before. My dear friend, I experienced a grief as if I had lost my own father. I sat down on the bed and closed his eyes. Then I went in search of the American Consul who took charge of him. From his physician and nurse in his Hotel, I learned that at ten in the morning he was at the Restaurant, but was not ill. He afterwards complained a little, and went to his room and sent for a physician, who soon arrived, as did some of his acquaintances; but there were no symptoms that gave alarm. In the afternoon he sent for a priest, who came to him; and afterwards he received the visit of an American gentleman and of a physician who remained with him till 5½ o'clock, without there being any indications of danger. At 6 o'clock and 20 minutes your dear father died suddenly but tranquilly, and without suffering, from a disease of the heart. It was then that I arrived.

Yesterday at 4 P. M. we assisted at his funeral in the American Cemetery. There were present on the occasion the Chief Chaplain of the French Army, the American Consul and Vice-Consul, the correspondent of the *Herald*, many Americans of the South, and of the North, and myself. We bore your father from his room to the carriage, and then from the carriage to the tomb and we closed the tomb ourselves. \* \* \* \* \*

I am your sincere friend,

FELIX PRINCE DE SALM-SALM.

MEXICO, 30th April 1866.

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CONSULATE UNITED STATES OF AMERICA }  
MEXICO, May 13 1866. }

*To Mr. E. Austin, Purser S.'r Manhattan :*

MY DEAR SIR—It devolves on me to communicate the circumstances relative to your father's death, of which you will have been advised by Mr. Lane, United States Consul at Vera Cruz. This becomes in my case a more painful duty, as the relations between your father and myself have been of the most agreeable nature from our first acquaintance on the Manhattan up to the period of his death. On Friday evening, April 27; your father and myself were at the Opera and on Saturday morning he arose at his usual hour, dressed and shaved himself, and then went down into the Cafe, took a cup of coffee, and then for the first time he felt a

violent pain in the region of his heart, and was assisted to his room by a Catholic priest, whose acquaintance he had formed. While in his room the priest confessed him. Your father then sent for Doctor H. C. Hasell (an American Physician) who prescribed for him and left him without any apprehension of danger. At 4 o'clock P. M., Dr. Hasell and other Americans called on your father, found him better than he was in the morning, laughed and joked with him. They left him a quarter before 5 P. M. and promised to send a servant to wait on him. The servant was sent at 5 P. M.; he bathed your father and did several little things for him. Your father at 6 $\frac{1}{4}$  P. M. expressed a desire to sleep and told the servant that he could go and get his dinner and return at 8 P. M.; saying that he felt much better. The servant mentioned above had not left him more than half an hour before one of the hotel servants went into his room for something and found him apparently asleep, but upon close examination he found that he was dead. The servant immediately informed the clerk in the office of the Hotel, who as soon as practicable, informed the Consulate of the sad event. Every measure that the occasion required was at once adopted, an inventory of his effects taken, and his body washed and laid out by American acquaintances. During the night his body was watched by two Americans who had formed his acquaintance in this city.

On Sunday morning every arrangement was made to inter him at 5 o'clock P. M. in the American Cemetery, near the city. Service according to the ritual of his church was performed, both before the procession

left the hotel and at the grave, by a Catholic priest, Chaplain-in-Chief of the French army. As many Americans attended the funeral as were able to prepare themselves, owing to the short time allowed by the temperature at this season of the year. I have given instructions for the erection of a cross of wood, bearing his name, which shall mark his grave for the present.

It will no doubt be agreeable to you to be assured that your father's death caused a sincere regret with all who had made his acquaintance, and his loss is felt by no one here so much as myself.

I remain, with respect, yours truly,

MARCUS OTTERBOURG.

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The Mexican correspondent of the New York *Times*, gives these particulars, in which it will be perceived there are some errors of date :

DEATH OF RECORDER AUSTIN.

The death of Judge Charles L. Austin, of Albany, N. Y., has caused a profound sensation in all circles. Judge Austin had only been here a few days, yet he had the *entree* of the Palace and the heads of the Bureaux of Government officials welcomed him to their headquarters. He arrived here on the 11th ult., intending to remain until it was time to return to Vera Cruz, to take passage on the steamship Manhattan from Vera Cruz on the 8th inst. A slight affection of the throat, caused by exploring the historical canals surrounding

this city during the day of the 22d inst., made him think of leaving for Vera Cruz sooner than it was necessary in order to embark on the steamer on the 8th instant. He had concluded to start yesterday morning, but when Monday morning came he was lying near the spot, where only one week before exiled Confederates had buried H. W. Allen. Friday evening last he retired, suffering severely with palpitation of the heart. Saturday, those who visited him thought all danger was over, and none were so confident as the deceased himself. Saturday evening he had another severe attack, but at midnight he rallied so much that his physician, Dr. Luis Hassel, thought that all immediate danger had passed, yet recommended extreme quiet, that he might the sooner be able to get out of Mexico, and away from this elevated country. At 6 A. M., Sunday morning, he was seized with another attack too severe even for his strong constitution, and died in a few minutes. Sunday evening he was followed by quite all the Americans in Mexico, to the American burying ground situated west of the city, and not far from Chapultepec Castle.

UNIVERSITY OF THE STATE OF NEW YORK,  
Office of the Regents,

ALBANY, AUGUST 28, 1866.

At a meeting of the Executive Committee of the State Normal School, held this day (the first since the decease of Mr. Austin) the following resolution was unanimously adopted.

Resolved that it is with unfeigned sorrow we are called to record the death of the Hon. Charles L. Austin, the senior member of this Committee, in whose death the School has lost a warm and devoted friend, and the Committee a wise and discreet associate, and that we will ever cherish his memory in grateful remembrance.

The Secretary was directed to communicate a copy of the resolution to the family of the deceased, which is hereby done.

S. B. WOOLWORTH,  
Secretary of Ex. Com. N. Y. S. Normal School.

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